

TAM:MJB:all

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN WASHINGTON GORDON,	:	CIVIL ACTION NO. 1:CV-01-0331
Plaintiff,	:	
	:	
v.	:	(Rambo, J.)
	:	
N. GONZALEZ, <u>et al.</u> ,	:	
Defendants.	:	Filed Electronically

DEFENDANTS' MOTION IN LIMINE TO EXCLUDE
EVIDENCE OF "SURVEILLANCE" VIDEOTAPE

Defendants N. Gonzalez, S. Puckey, B. Shuman, J.A. Candelora, and G. Shuck hereby move to exclude evidence of the non-existent "surveillance" videotape for the reasons stated in the accompanying brief.

Counsel certifies that Plaintiff's counsel was contacted to seek his concurrence with this motion. Counsel for Plaintiff stated he has no intent in calling Dr. Askin so he does concur with this motion.

Respectfully submitted,

THOMAS A. MARINO
United States Attorney

Dated: September 17, 2004

/s Michael J. Butler
Michael J. Butler
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PA Attorney I.D. No. 81799
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CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers. That on September 17, 2004, she served the attached

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by placing said copies in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

Addressee:

David L. Glassman, Staff Attorney
Lewisburg Prison Project, Inc.
P.O. Box 128
Lewisburg, PA 17837

/s Anita L. Lightner
Anita L. Lightner
Paralegal Specialist